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6 Trustee in Bankruptcy

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8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 In re

12 EVANDER FRANK KANE,
13 Debtor.

Case No. 21-50028 SLJ
Chapter 7
Hon. Stephen L. Johnson

**REQUEST FOR ENTRY OF ORDER
AUTHORIZING ABANDONMENT OF
ESTATE'S RIGHT, TITLE, AND
INTEREST IN STATE COURT
LITIGATION COUNTERCLAIM**

[No Hearing Requested]

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18 Fred Hjelmset, Chapter 7 Trustee in Bankruptcy ("Trustee") of the estate of the above-
19 named Debtor, respectfully represents:

20 1. On January 19, 2022, the Trustee served on parties on the limited service list¹ a
21 Notice and Opportunity for Hearing on Motion to Abandon Estate's Right, Title, and Interest in
22 State Court Litigation Counterclaim ("Notice") [Docket 259], as evidenced by the Certificate of
23 Service / Declaration of Mailing [Docket 260].

24 2. Also on January 19, 2022, the Trustee filed his Motion to Abandon Estate's Right,
25 Title, and Interest in State Court Litigation Counterclaim [Docket 258].
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28 ¹ Notice was limited in this case by an order entered July 30, 2021 entitled "Order Pursuant to Bankruptcy Rule 2002(h)
Designating Recipients of Notices Required Under 2002(a)," Docket 194.

3. The time period within which to file objections or requests for hearing has passed.

4. Except as set forth in the Kleiner Declaration, this office has not received any objections or requests for hearing, and no objections or requests for hearing with regard to the relief requested has been filed.

WHEREFORE, the Trustee requests the entry of an Order authorizing him, under 11 U.S.C. § 554, to abandon the estate's counterclaim in that certain litigation entitled *Kuechle v. Kane*, pending in the State of New York Supreme Court, County of Erie, Index No. 807030/2016.

DATED: February 10, 2022 RINCON LAW LLP

By: /s/ Gregg S. Kleiner
GREGG S. KLEINER
Counsel for FRED HJELMESET,
Trustee in Bankruptcy